

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEMETROIS T. DIXSON,
Petitioner,

v.

TERRI GONZALES, Warden,
Respondent.

No. C 11-01270 CW (PR)

ORDER OF DISMISSAL WITHOUT
PREJUDICE; TERMINATING PENDING
MOTIONS

On March 15, 2011, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. Thereafter, Petitioner filed several documents in this action, but did not file a completed in forma pauperis application or pay the filing fee.

On April 15, 2011, the Court sent Petitioner a second notification, informing him that he must pay the fee or return the completed in forma pauperis application within thirty days or his action would be dismissed.

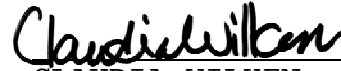
More than thirty days have passed since the second notification was sent to Petitioner, and Petitioner has not paid the filing fee, returned the in forma pauperis application or otherwise communicated with the Court. Accordingly, this action is

1 DISMISSED WITHOUT PREJUDICE. The Clerk of the Court shall close
2 the file.

3 All pending motions in this matter are hereby TERMINATED.

4 IT IS SO ORDERED.

5 Dated: 6/3/2011



CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DEMETROIS T DIXSON,

Plaintiff,

v.

TERRI GONZALES et al,

Defendant.

Case Number: CV11-01270 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 3, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Demetrois T. Dixon F-23400
California Men's Colony State Prison
P.O. Box 8101
San Luis Obispo, CA 93409

Dated: June 3, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk

United States District Court
For the Northern District of California